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Ms. Kathleen Pfeiffer Pennzoil Company Pennzoil Place P.O. Box 2967 Houston, TX 77252-296'

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

841 Chestnut Building Philadelphia, Pennsylvania 19107-4431

NOTIFICATION OF APPROVAL of FACILITY RESPONSE PLAN

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

FFB 1 0 1995

FRP ID # FRP03A0194 REG ID # WVFRP005

Ms. Kathleen Pfeiffer Pennzoil Company Pennzoil Place P.O. Box 2967 Houston, TX 77252-2967 Re: Pennzoil Products Co.

Etowah Terminal Charleston, WV

Dear Ms. Pfeiffer:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA) has approved your facility's response plan based upon the statutory requirements set forth in the Clean Water Act (CWA) § 311(j)(5) as amended by the Oil Pollution Act of 1990.

On February 17, 1993, EPA issued, in proposed form, a Facility Response Plan regulation (58 FR 8824) which, until the Final Rule was promulgated, provided guidance for the preparation of facility response plans, pending implementation of the Final Rule. Our approval of your response plan documents that your plan is consistent with the requirements outlined in the proposed Rule. This approval of your facility's response plan does not mean that your current response plan will necessarily satisfy the requirements of EPA's final regulation, nor does it exempt your facility from the requirement of coming into full compliance with the final regulation.

On July 1, 1994, the Agency published the final Response Plan Regulation (59FR 34070). A copy of this regulation is enclosed. The final regulation (pages 34075-76) addresses when and how revisions to facility response plans conforming to the final regulation will be required by EPA. You should be aware that pursuant to CWA § 311 (j)(5), EPA is required to "review each plan periodically thereafter." To satisfy this requirement, EPA will include your plan on a staggered review schedule.

Notification of Approval of Facility Response Plan Page 2

If EPA determines during its next review that the response plan is inadequate, or if EPA acquires evidence that indicates the response plan prepared by your facility is insufficient for its purposes, EPA will require appropriate revisions to your Plan. Failure to make such revisions may affect your Plan's approval status.

If you have any questions about this letter, please contact our Facility Response Plan Information Line at (215) 597-9562. Provide the referenced Regional (REG) ID number on all future correspondence or inquiries.

Sincerely,

Dennis P. Carney, Chief

Superfund Removal Branch (3HW30)

Enclosure

cc: Linda Ziegler (3HW34)

FRP Coordinator

Oil & Title III Section

for FRP file

MSO: Huntington, WV